

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL KING,

Petitioner,

v.

CASE NO. 2:07-CV-14182
HONORABLE BERNARD A. FRIEDMAN

KENNETH ROMANOWSKI,

Respondent.

_____ /

ORDER DENYING PETITIONER'S MOTION
FOR APPOINTMENT OF COUNSEL

This is a habeas case brought pursuant to 28 U.S.C. § 2254. Petitioner, a Michigan prisoner, is challenging the effectiveness of counsel at sentencing and the propriety of his sentence. This matter is before the Court on Petitioner's motion for appointment of counsel. Petitioner has submitted his habeas petition, but Respondent has not yet filed an answer to the petition.

Petitioner has no absolute right to be represented by counsel on federal habeas corpus review. *See Abdur-Rahman v. Michigan Dept. of Corrections*, 65 F.3d 489, 492 (6th Cir. 1995); *see also Wright v. West*, 505 U.S. 277, 293 (1992) (citing *Pennsylvania v. Finley*, 481 U.S. 551, 555 (1987)). “[A]ppointment of counsel in a civil case is . . . a matter within the discretion of the court. It is a privilege and not a right.” *Childs v. Pellegrin*, 822 F.2d 1382, 1384 (6th Cir. 1987) (quoting *United States v. Madden*, 352 F.2d 792, 793 (9th Cir. 1965)). Petitioner has submitted his pleadings in support of his claims. Neither an evidentiary hearing nor discovery

are necessary at this time, and the interests of justice do not require appointment of counsel. *See* 18 U.S.C. § 3006A(a)(2)(B); 28 U.S.C. foll. § 2254, Rules 6(a) and 8(c).

Accordingly, the Court **DENIES** Petitioner's motion for appointment of counsel. The Court will bear in mind Petitioner's request if, upon further review of the pleadings, the Court determines that appointment of counsel is necessary. Petitioner need not file an additional motion concerning this issue.

IT IS SO ORDERED.

s/Bernard A. Friedman
Bernard A. Friedman
United States District Judge

Dated: January 9, 2008

I hereby certify that a copy of the foregoing document was served upon petitioner and counsel of record on January 9, 2008, by electronic and/or ordinary mail.

s/Carol Mullins
Case Manager